

REMARKS

In the Final Office Action, the Examiner again erroneously refers to the secondary document, Chatterjee *et al.*, by Patent Number US 6,430,538 B1. (See Final Office Action dated November 3, 2006, pg. 2). The intended citation is to Chatterjee *et al.* (US 5,774,661) as indicated by the Examiner from a previous telephone interview. Accordingly, the following comments are predicated on the foregoing clarification.

Claims 2-17, 19-20, 22-26 and 28-29 are currently pending in the subject application and are presently under consideration. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments herein.

I. Rejection of Claims 2-17, 19, 22-26 and 28-29 Under 35 U.S.C. §103(a)

Claims 2-17, 19, 22-26 and 28-29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ohmura *et al.* (US 6,151,583) in view of Chatterjee *et al.* (US 5,774,661), and further in view of Betz *et al.* (US 5,388,254). Withdrawal of this rejection is respectfully requested for at least the following reasons. Ohmura *et al.*, Chatterjee *et al.* and Betz *et al.*, either alone or in combination, fail to teach or suggest each and every limitation set forth in the subject claims.

To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) ***must teach or suggest all the claim limitations***. See MPEP §706.02(j). The ***teaching or suggestion to make the claimed combination*** and the reasonable expectation of success ***must be found in the prior art and not based on the Applicant's disclosure***. See *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) (emphasis added).

The subject claims relate to a computing workflow system having process definition represented in a workflow table. In particular, independent claim 2 (and similarly independent claims 4, 11, 17, 23 and 29) recites ***scanning all databases on the***

server for timeout workflow events and executing the timeout workflow events as due using a timeout agent. Neither Ohmura *et al.* nor Chatterjee *et al.* teach or suggest this novel aspect of the invention as claimed.

The Examiner acknowledges that Ohmura *et al.* and Chatterjee *et al.* are deficient in failing to teach or suggest the aforementioned novel aspect as recited in the subject independent claims, and thus attempts to utilize Betz *et al.* to cure the deficiencies rendered by Ohmura *et al.* and Chatterjee *et al.* (See Final Office Action dated November 3, 2006, pg. 3). Betz *et al.* relates to Data Processing Systems having attached I/O devices. (See col. 1, ll. 6-7). In particular, Betz *et al.* discloses a method of avoiding transaction time delays by utilizing a scan routine that compares the total time of an I/O request with the I/O request time limit value. (See Abstract). However, Betz *et al.* fails to teach or disclose *scanning all databases on the server for timeout workflow events and executing the timeout workflow events as due using a timeout agent.*

The Examiner contends that the scan routine disclosed in Betz *et al.* is the timeout agent recited in the subject independent claims. (See Final Office Action dated November 3, 2006, pg. 3). Applicants' representative respectfully disagrees with such contention. The scanning routine disclosed in Betz *et al.* does not scan *all databases on the server for timeout workflow events* as recited in the subject claims. On the contrary, Betz *et al.*'s scanning routine only increments the count field of I/O queue blocks at each scan interval and compares the count field of each I/O with appropriate time limits to determine whether to terminate an I/O request. (See Abstract). Thus, Betz *et al.*'s scan routine does not scan *all databases on the server* but only the count fields of I/O queue blocks. On the other hand, the subject independent claims recite a timeout agent that can be implemented as a SQL job to scan all databases on the server for timeout workflow events and execute the timeout workflow events as due. (See Specification pg. 10, ll.27 – pg. 11, ll. 2). Betz *et al.* fails to teach or suggest such claim aspects.

In view of at least the foregoing, it is readily apparent that Ohmura *et al.*, Chatterjee *et al.* and Betz *et al.*, individually or in combination, fail to teach or suggest the subject claims as recited in independent claim 2 (and similarly in independent claims 4, 11, 17, 23 and 29). Accordingly, withdrawal of this rejection with respect to

independent claims 2, 4, 11, 17, 23 and 29 (and associated dependent claims) is respectfully requested.

II. Rejection of Claim 20 Under 35 U.S.C. §103(a)

Claim 20 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Ohmura *et al.* in view of Chatterjee *et al.*, in view of Betz *et al.*, and further in view of Haverstock *et al.* (US 2002/0038357). This rejection should be withdrawn for at least the following reasons. Claim 20 depends from independent claim 17; and Haverstock *et al.* does not overcome the aforementioned deficiencies of Ohmura *et al.*, Chatterjee *et al.* and Betz *et al.* with respect to independent claim 17. Accordingly, withdrawal of the rejection of claim 20 is respectfully requested.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP238US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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